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PTO/SB/64 (09-04)

Approved for use through 07/31/2006. OMB 651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
29890.010000

First named Inventor Saltz

Application No.: 10/046,683

Art Unit: 2416

Filed: October 26, 2001

Examiner: Mohammad Ali

Title: Limit Engine Database Management system

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (703) 872-9306

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NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee — required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity-fee \$750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☐ Other than small entity — fee \$_____ (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of
Reply to Office Action (identify type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$_____.

- ☐ has been filed previously on _____
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. Specifically, the reason no reply was submitted is that the office action supposedly mailed on November 9, 2004 was never received by the undersigned. A notice of abandonment has yet to be received. The undersigned obtained a copy of the office action on his own when checking status of application. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)C() and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

<u></u>	<u>August 10, 2005</u>
Signature	Date
<u>Manuel Valcarcel</u>	<u>41,360</u>
Typed or printed name	Registration Number, if applicable
<u>c/o Greenberg Traurig, P.A.</u>	<u>305-579-0812</u>
Address	Telephone Number
<u>1221 Brickell Avenue, Miami, FL 33131</u>	<u>August 10, 2005</u>
Address	Date

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other: _____

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Greenberg Traurig

Manuel R. Valcarcel, Esq.
305-579-0812
Valcarcelm@gtlaw.com



August 22, 2005

VIA EXPRESS MAIL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Re: U.S. Patent Application No. 10/046,683
Limit Engine Database Management System
Response to Office Action and Petition to Revive - Unintentional
Our Ref. No. 29890.010000**

Dear Sir:

Enclosed under cover of this transmittal letter is a Petition to Revive – Unintentional Under 37 CFR 1.137(b) and a Request for Continued Examination, including a response to office action on the above-referenced application. A check for \$750 is also enclosed in payment of the petition fee (small entity) and a separate check for \$395 is submitted for the Request for Continued Examination fee. Please charge any other fees to be charged and due in connection herewith to Deposit Acct. No. 50-1792.

Please confirm receipt of the enclosed documents by date-stamping and returning the enclosed postage paid return postcard. Please direct all communications regarding the foregoing to the undersigned.

Respectfully submitted,

GREENBERG TRAUIG, P.A.

A handwritten signature in dark ink, appearing to read "Manuel R. Valcarcel".

Manuel R. Valcarcel, Esq.
Reg. No. 41,360

Enclosures

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